



March 28, 2003

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## ENGROSSED HOUSE BILL No. 1933

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DIGEST OF HB 1933 (Updated March 27, 2003 11:36 AM - DI 102)

**Citations Affected:** IC 10-5.

**Synopsis:** Military leave. Specifies the conditions for leaves of absence granted to reserve members of the armed forces.

**Effective:** July 1, 2003.

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### Ayres, Stevenson

(SENATE SPONSORS — SKILLMAN, DEMBOWSKI)

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January 23, 2003, read first time and referred to Committee on Labor and Employment.  
February 10, 2003, reported — Do Pass.  
February 13, 2003, read second time, ordered engrossed. Engrossed.  
February 17, 2003, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 24, 2003, read first time and referred to Committee on Pensions and Labor.  
March 27, 2003, reported favorably — Do Pass.

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EH 1933—LS 7112/DI 102+



March 28, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1933

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A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 10-5-8-1 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2003]: Sec. 1. **(a) This section is subject to**  
3 **IC 10-2-4-3 and IC 10-2-4-3.5.**

4       **(b)** Any person who is a duly qualified member of the reserve  
5 components of the armed forces, who is a member of the Ready  
6 Reserve, who is a member of an organized unit, and who, in order to  
7 receive military training with the armed forces of the United States not  
8 to exceed fifteen (15) days in any one (1) calendar year, leaves a  
9 position other than a temporary position in the employ of any employer,  
10 and who shall give evidence defining date of departure and date of  
11 return for purposes of military training ninety (90) days prior to the  
12 date of departure and who shall further give evidence of the satisfactory  
13 completion of such training immediately thereafter, and, who is still  
14 qualified to perform the duties of such position, shall be entitled to be  
15 restored to ~~his~~ **the person's** previous or a similar position with the  
16 same status and pay. ~~Provided, That~~ Seniority shall continue to accrue  
17 during such period of absence, and such period of absence for military

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1 training shall be construed as an absence with leave, and within the  
2 discretion of the employer said leave may be with or without pay.

3 SECTION 2. IC 10-5-9-1 IS AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2003]: Sec. 1. **(a) This section is subject to**  
5 **IC 10-2-4-3 and IC 10-2-4-3.5.**

6 **(b)** Any person who, as a reserve member of the armed forces of the  
7 United States, is called upon to receive temporary military training,  
8 shall be entitled to a temporary leave of absence from ~~his~~ **the person's**  
9 employer, not to exceed fifteen (15) days in any one (1) calendar year.  
10 ~~Provided, That~~ Such person is required to provide ~~his~~ **the person's**  
11 employer with evidence of the dates of ~~his~~ **the person's** departure and  
12 return as soon as practicable ~~prior to his~~ **before the person's** departure,  
13 and shall be required to furnish ~~his~~ **the person's** employer upon ~~his~~ **the**  
14 **person's** return evidence of ~~his~~ **the person's** satisfactory completion  
15 of such training. Upon ~~his~~ **the person's** return, such person shall be  
16 restored to ~~his~~ **the person's** previous, or similar position, with the same  
17 status as ~~he~~ **the person** held before leaving for ~~his~~ **the person's**  
18 training period. Such leaves may be granted with or without pay within  
19 the discretion of the employer.

20 **(c)** Any temporary leave of absence so granted shall not affect the  
21 rights of the person to vacation leave, sick leave, or other normal  
22 benefits of ~~his~~ **the person's** employment.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1933, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LIGGETT, Chair

Committee Vote: yeas 11, nays 0.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1933, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1933 as printed February 11, 2003.)

HARRISON, Chairperson

Committee Vote: Yeas 9, Nays 0.

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EH 1933—LS 7112/DI 102+

